

## PERMANENT EASEMENT FOR MULTI-USE TRAIL

Polk County, Iowa, and the Polk County Conservation Board, (referred to in this Easement jointly as the "Grantor") in consideration of the sum of one dollar (\$1.00) paid by the City of Ankeny (referred to in this Easement as the "Grantee"), do hereby convey unto the Grantee a permanent easement under, over, through and across the following described property:

A part of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 36, Township 80 North, Range 24 West of the 5<sup>th</sup> P.M., now included in and forming a part of Polk County, Iowa and described as follows:

Beginning at the Northeast corner of Lot "P" of Cassidy Heights Plat 1, an Official Plat; thence South  $88^{\circ}08'22''$  East along the North line of said Lot "P" extended easterly approximately 79.8 feet to the East line of said Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 36 and being the East property line currently owned by Polk County Conservation Board; thence South along said East line approximately 24 feet to the intersection of the South line of said Lot "P" extended Easterly and said East line of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 36; thence North  $88^{\circ}08'22''$  West along said South line of said Lot "P" extended Easterly approximately 82.9 feet to the Southeast corner of said Lot "P"; thence Northeasterly along the East line of said Lot P and along a curve concave Westerly whose radius is 3,767.55 feet, whose ARC length is 24.12 feet and whose chord bears North  $7^{\circ}38'13''$  West, 24.12 feet to the point of beginning and containing 0.04 acres (1,9525 S.F.) more or less.

Property subject to any and all Easements of record,

(referred to in this Easement as the "Easement Area") for all activities related to the purpose of establishing, constructing, maintaining, reconstructing, repairing, replacing, enlarging and inspecting a multi-use trail on the Easement Area.

This permanent easement shall be subject to the following terms and conditions:

1. **Erection of structures prohibited.** Grantee shall not erect any permanent structure, except pavement of the multi-use trail, over or within the Easement Area without the prior written consent of the Polk County Conservation Board Director.

2. **Obstructions prohibited.** Grantee shall not erect or cause to be placed on the Easement Area any structure, material, device, thing or matter which could possibly obstruct or impede the normal flow of pedestrian or bicycle or maintenance vehicle traffic over the Easement Area.

3. **Change of grade prohibited.** Grantee shall not change the grade, elevation or contour of any part of the Easement Area without obtaining the prior written consent of the Polk County Conservation Board Director.

4. **Alterations prohibited.** Grantor shall not make any alterations to the Easement Area that conflict with the purpose of the Easement.

5. **Right of access.** The Grantee, its agents, contractors, employees and assigns shall have the right of access to the Easement Area and shall have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area.

6. **Easement runs with the land.** This Easement shall be deemed to run with the land and shall be binding on Grantor and on Grantor's successors and assigns.

7. **Retention of rights by Grantor.** All rights to the property that are not specifically granted to the Grantee by this Easement shall remain with the Grantor.

8. **Approval by the Polk County Conservation Board and the Board of Supervisors.** This Easement shall not be binding until it has received final approval by resolution of both the Polk County Conservation Board and the Polk County Board of Supervisors.

Grantor does hereby covenant that Grantor holds said real estate described in this Easement by quit claim deed and that Grantor has such good and lawful authority to convey the same as was deeded to Grantor.

Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Signed on this 2nd day of AUGUST, 2016.

**POLK COUNTY, IOWA**

By: Tom Hockensmith  
Tom Hockensmith, Chair of the Polk County,  
Iowa Board of Supervisors

**POLK COUNTY CONSERVATION BOARD**

By: Lance Northway  
Lance Northway, Chair of the Polk County  
Conservation Board

State of Iowa,  
County of Polk

This permanent easement was acknowledged before me on the 2<sup>nd</sup> day of August, 2016 by Tom Hockensmith, as Chair of the Polk County Board of Supervisors, on behalf of Polk County, Iowa.

Rebecca Dewey  
Signature of Notarial Officer



Notary Public  
My commission expires:  
2-1-17

State of Iowa,  
County of Polk

This permanent easement was acknowledged before me on the 10<sup>th</sup> day of August, 2016 by Lance Northway, Chair of the Polk County Conservation Board.

Carol Ann Carlson  
Signature of Notarial Officer



Notary Public  
My commission expires:  
9/27/17



## TRAIL EASEMENT

BEGINNING AT THE NORTHEAST CORNER OF LOT "P" OF CASSIDY HEIGHTS PLAT 1, AN OFFICIAL PLAT; THENCE SOUTH 88°08'22" EAST ALONG THE NORTH LINE OF SAID LOT "P" EXTENDED EASTERLY APPROXIMATELY 79.8 FEET TO THE EAST LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36 AND BEING THE EAST PROPERTY LINE CURRENTLY OWNED BY POLK COUNTY CONSERVATION BOARD; THENCE SOUTH ALONG SAID EAST LINE APPROXIMATELY 24 FEET TO THE INTERSECTION OF THE SOUTH LINE OF SAID LOT "P" EXTENDED EASTERLY AND SAID EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36; THENCE NORTH 88°08'22" WEST ALONG SAID SOUTH LINE OF SAID LOT "P" EXTENDED EASTERLY APPROXIMATELY 82.9 FEET TO THE SOUTHEAST CORNER OF SAID LOT "P"; THENCE NORTHEASTERLY ALONG THE EAST LINE OF SAID LOT P AND ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 3,767.55 FEET, WHOSE ARC LENGTH IS 24.12 FEET AND WHOSES CHORD BEARS NORTH 7°38'13" WEST, 24.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.04 ACRES (1,952.5 S.F.) MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

## CITY OF ANKENY

## Survey

Section Corner  
1/2" Rebar, Cap # 11579  
(Unless Otherwise Noted)  
ROW Marker  
ROW Rail  
Control Point  
Bench Mark  
Platted Distance  
Measured Bearing & Distance  
Recorded As  
Deed Distance  
Calculated Distance  
Minimum Protection Elevation  
Centerline  
Section Line  
1/4 Section Line  
1/4 1/4 Section Line  
Easement Line

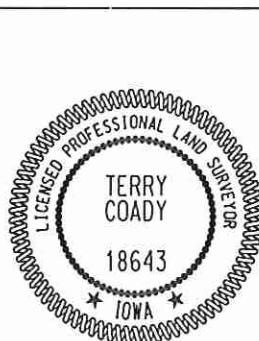
Found

   
   CP  
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M  
R  
D  
C  
MPE

## Set

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POLK COUNTY CONSERVATION BOARD



I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Terry Coady, PLS

Date \_\_\_\_\_

License Number 18643

My License Renewal Date is December 31, 2017

Pages or sheets covered by this seal:

## TRAIL EASEMENT



**SNYDER & ASSOCIATES, INC.**  
Engineers and Planners

2727 S.W. SNYDER BLVD.  
ANKENY, IA 50023 (515) 964-2020

SHEET 1 OF 2

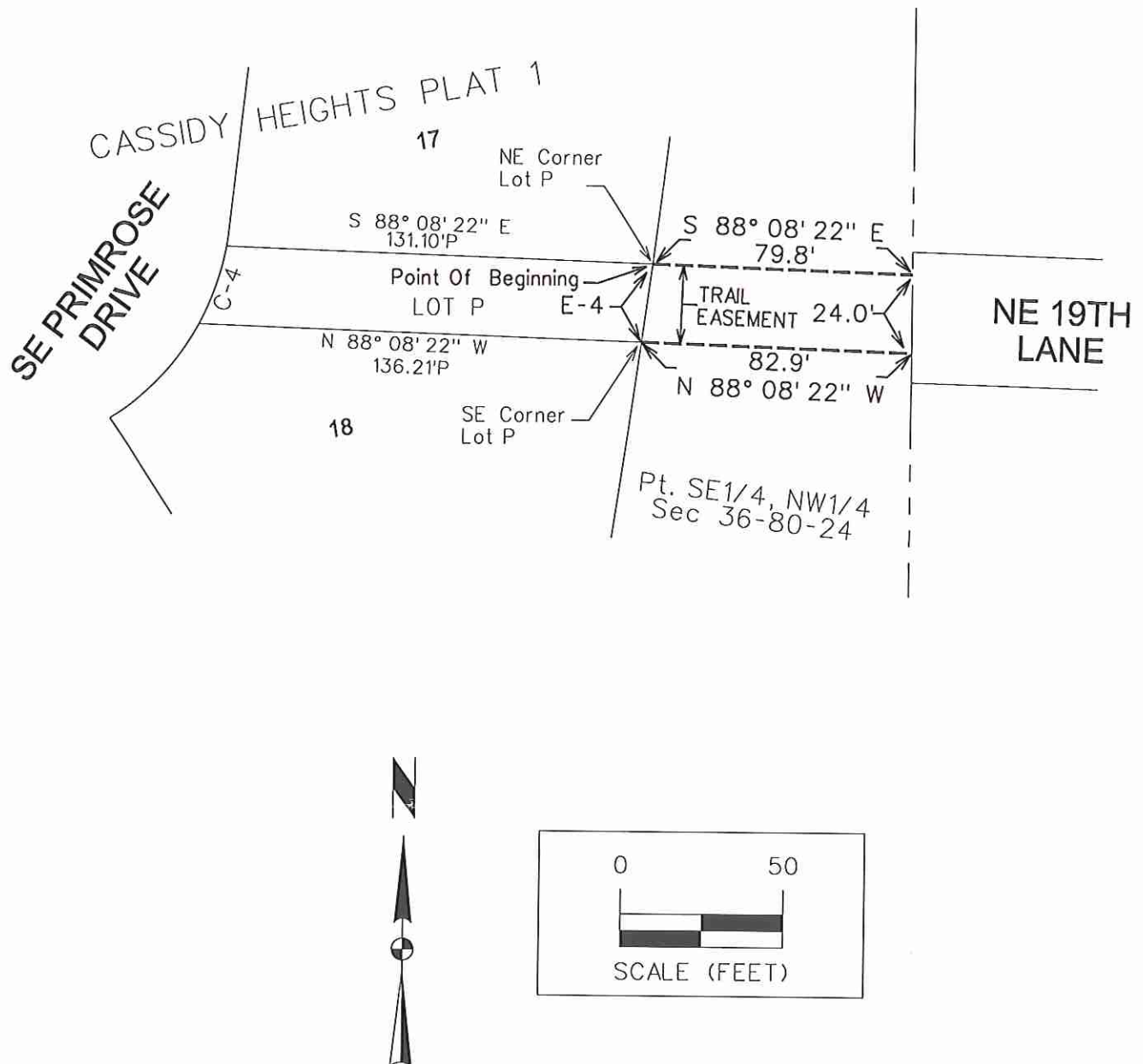
PN: 1160301

PM:	TLC
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DATE: 04/04/16

TECH: TLC

CURVE NO.	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/DISTANCE
C-4	18° 05' 34" RT	80.00'	25.26'	12.74'	S 19° 18' 25" W 25.16'
E-4	0° 22' 01" RT	3,767.55'	24.12'	12.06'	N 7° 38' 13" E 24.12'



## TRAIL EASEMENT

TECH: TLC



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